

Remarks:

Applicant has carefully studied the non-final Examiner's Action mailed 03/09/2004, having a shortened statutory period for response set to expire 06/09/2004, and all references cited therein. The amendment appearing above and these explanatory remarks are believed to be fully responsive to the Action. Accordingly, this important patent application is now believed to be in condition for allowance.

Applicant responds to the outstanding Action by numbered paragraphs that correspond to the paragraph numbering employed by the Office, to ensure full response on the merits to each finding of the Office.

1. The title of the invention stands objected to because it is not descriptive. The title has been amended to delete the non-descriptive term "Hunter."
2. Applicant acknowledges the quotation of 35 U.S.C. § 102(b).
3. Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Henry et al. Applicant acknowledges that Henry et al. discloses sleeve 30 having tab 32 with an aperture formed therethrough, and that sleeve 30 slides along the length of shank 12.
4. Applicant acknowledges the quotation of 35 U.S.C. § 103(a).
5. Claims 1,2 and 5-7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hysaw in view of Robinson. Applicant acknowledges that Hysaw discloses a shank having a movable line connection and a pair of parallel, pivotable flukes. Instead of a sleeve and a cap as claimed by Applicant, Hysaw discloses a ring and a "T" at the end of the shank to prevent the ring from sliding from the shank. Applicant further acknowledges that Robinson discloses a sleeve that slides the length of a shank, and that the sleeve has an eye or a loop that is engaged by a chain. Moreover, Applicant acknowledges that the Robinson shank is capped by a ball.
6. Claims 3 and 4 stand objected to as being dependent upon a rejected base claim but are indicated as being allowable if rewritten in independent form to include all of the limitations of the base claim (claim 1) and any intervening claims (claim 2). However, claim 1 cannot be amended by adding the respective limitations of claims 2-4 thereto because the limitations of claims 2 and 3 are contradictory to one another.

More particularly, claim 2 is a dependent claim drawn to an anchor of the type having a pair of parallel flukes and claim 3 is a dependent claim drawn to an anchor having a "V"-shape (and including a second, non-beveled cap). One claim cannot be drawn to both types of anchors.

Therefore, claim 1 cannot be amended by adding the respective limitations of claim 2 (anchor having parallel flukes), claim 3 ("V"-shaped anchor with a second, non-beveled cap), and claim 4 (the novel beveled cap common to both types of anchors) thereto.

Accordingly, claim 1 as currently amended includes the limitations of now-cancelled claims 2 and 4. Claim 1, as currently amended, does not read upon Henry because Henry lacks the parallel flukes and the beveled cap. Moreover, claim 1 as currently amended does not read upon any combination of Hysaw and Robinson because said references lack and do not suggest the beveled cap.

New claim 8 includes the respective limitations of claims 1, 3 (the "V"-shaped anchor and the non-beveled cap), and 4 (the beveled cap). Said new claim 8 is therefore internally consistent, just as claim 1 as currently amended is internally consistent. New claims 9 and 10 depend from new claim 8 and include the respective limitations of original claims 5 and 6.

7. If the Office is not fully persuaded as to the merits of Applicant's position, or if an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (727) 733-8825 is requested. Applicant thanks the Office for its careful examination of this important patent application.


8. Applicant acknowledges the contact information for the organization where this application is assigned.

9. Applicant acknowledges the information concerning the PAIR system.

Very respectfully,

STANLEY M. MILLER, P.A.

Dated: April 23, 2004

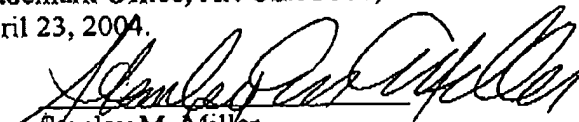
By: 
Stanley M. Miller
Suite 201
748 Broadway
Dunedin, FL 34698
(727) 733-8825
Attorneys for Applicant

pc: Mr. Michael A. Moran

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. 1.8)

I HEREBY CERTIFY that this Amendment A, including Amendments to the Specification, Amendments to the Claims, and Remarks, is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 3600, Attn: Mr. Edwin L. Swinehart, (703) 872-9325 on April 23, 2004.

Dated: April 23, 2004


Stanley M. Miller